

FROM THE PLANNING COMMISSION MINUTES OF MAY 13, 2010

9. GENERAL PLAN AMENDMENT/REZONE

A09-0006/Z09-0012/Pierce Trust submitted by ELIZABETH ANN WILLIAMS/Trustee (Agent: Gene E. Thorne & Associates, Inc.) to allow the following: (1) General Plan amendment amending the land use designation from Medium Density Residential (MDR) to Commercial (C); and (2) Rezone from One-Acre Residential (R1A) to Commercial-Planned Development (C-PD). The property, identified by Assessor's Parcel Number 327-140-07, consisting of 4.77 acres, is located on the east side of Greenleaf Drive, approximately 300 feet south of the intersection with Missouri Flat Road, in the Placerville periphery area, Supervisorial District III. [*Project Planner: Jason Hade*] (Negative declaration prepared)*

Jason Hade presented the item to the Commission with a recommendation of approval to the Board of Supervisors. He stated that there is no development proposed at this time and staff has reviewed the land use compatibility and found it appropriate. Mr. Hade informed the Commission that the Diamond Springs-El Dorado Community Advisory Committee had reviewed the project on February 18, 2010 and that two public comments letters had been received.

Gene Thorne/applicant's agent emphasized the discussion point identified at the top of Page 5 of the Staff Report which indicated that "*the planned development overlay would ensure that any future development plan is reviewed...*". He also stated that there is no development plan attached to this project.

Mark Conley, adjacent resident, submitted and read into the record a signed petition opposing the project. He stated that his family has been there for 69 years and he has lived there his entire life. Mr. Conley felt that the project would ruin the existing neighborhood.

Bob Keller, resident, inquired where the water would come from when the 76 units were built. He also felt that the property values would decrease.

Patricia Linville, resident, stated that there is already a bad traffic problem and poor water pressure. She said that it is a small quiet neighborhood and the area should remain as residential.

In Mr. Thorne's rebuttal, he stated that the Staff Report identified the numerous different types of uses that may be applicable for a Commercial zone. While he agreed that 76 units did not make sense for that area, he stated that only the rezone was being requested and not a project. Mr. Thorne indicated that DOT and EID had identified improvements that would be required when a project for that site was moved forward.

County Counsel Paula Frantz clarified for the Commission that the request before them was a General Plan Amendment and Rezone with a Planned Development overlay. Any future proposed commercial use would require the Commission's review and approval and they have broad discretion over the Development Plan.

Commissioner Mathews stated he had issues with a rezone to Commercial with no project attached as there is no control at this point.

Commissioner Pratt said that due to the rezone, the parcel could not be broken up into four separate parcels, which is possible right now with the current zoning. He also felt that the multi-family residential parcel located off of Greenleaf Drive would have more impact to the neighborhood than this project when that is developed.

Chair Rain felt more comfortable if a project was attached to this General Plan Amendment/Rezone request as it could become a bigger issue in the future.

Commissioner Heflin stated he wanted to see a project with this request.

No further discussion was presented.

Motion: Commissioner Heflin moved, seconded by Commissioner Mathews, and carried (3-1), to take the following actions: 1. Recommend conceptual denial of the General Plan Amendment and Rezone request; 2. Direct staff to revise the findings to reflect the denial; and 3. Continue the item to the May 27, 2010, meeting Consent Calendar with the findings for denial provided.

AYES: Mathews, Heflin, Rain
NOES: Pratt
ABSENT: Tolhurst